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5 Counsel for Defendant SIMS

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA,) No. CR 93-432 SBA
Plaintiff,) STIPULATION AND [PROPOSED]
v.) ORDER FOR CONTINUANCE OF
DARRYL SIMS,) STATUS ON SUPERVISED
Defendant.) RELEASE REVOCATION
PROCEEDINGS

IT IS HEREBY STIPULATED, by and between the parties to this action, that the STATUS
ON REVOCATION HEARING date of September 1, 2009, scheduled at 9:00 a.m., before the
Honorable Saundra Brown Armstrong, be vacated and reset as a STATUS ON REVOCATION
HEARING on November 10, 2009 at 9:00 a.m.

The continuance is necessary because the sole charge alleged in the Form 12 Petition for
Revocation is based on a local arrest of Mr. Sims. No charges have yet been filed in state court
as a result of that arrest, and the parties agree that the outcome of that matter will likely affect the
supervised release revocation proceedings. The continuance will allow sufficient time for any

1 state court matter to be resolved. In addition, Mr. Sims underwent shoulder surgery on August
2 18, 2009, and is unable to drive during a six-week period of recuperation. The continuance will
3 allow him time to recuperate.

4 The Probation Office does not object to this request. No exclusion of time is necessary,
5 given that this matter relates to supervised release.

6 DATED: August 18, 2009

/s/

CHRISTINA McCALL
Assistant United States Attorney

7 DATED: August 18, 2009

/s/

COLLEEN MARTIN
Assistant Federal Public Defender
Counsel for Darryl Sims

12 **SIGNATURE ATTESTATION**

13 I hereby attest that I have on file all holograph signatures for any signatures indicated by
14 a "conformed" signature (/S/) within this e-filed document.

17 **ORDER**

18 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the date for STATUS ON
19 REVOCATION HEARING scheduled for September 1, 2009, at 9:00 a.m., be vacated and reset
20 on November 10, 2009 at 9:00 a.m. No Speedy Trial Act concerns are implicated because this is a
21 supervised release matter.

22 SO ORDERED.

23 DATED: 8/20/09

Saundra B. Armstrong

24
25 SAUNDRA BROWN ARMSTRONG
26 United States District Judge